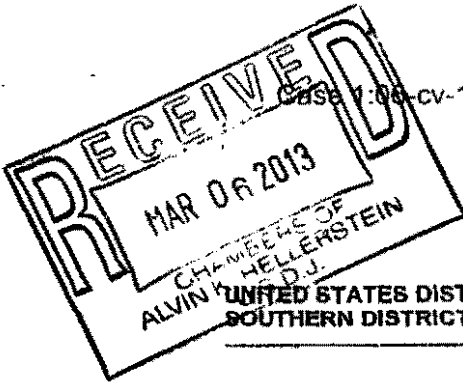


Hollerstein, A



Case 1:08-cv-13787-AKH Document 110 Filed 03/04/13 Page 1 of 2

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE: WORLD TRADE CENTER LOWER MANHATTAN
DISASTER SITE LITIGATION

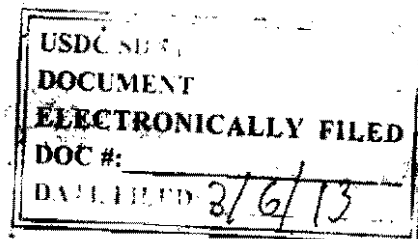
21MC 102(AKH)

BACZKOWSKI (07CV01565)
FLYNN (07CV01610)
AGUDELO (07CV4448)
ARRUDA (08CV13787)

STIPULATION OF
DISCONTINUANCE AS
TO ONE BROADWAY,
LLC, ONLY

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for the parties to the above entitled action, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed, and no person not a party has an interest in the subject matter of the action, the above entitled action be, and the same hereby is discontinued against One Broadway, LLC, *without prejudice*, without costs to either party as against the other.

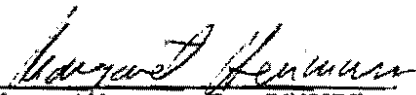
IT IS HEREBY FURTHER STIPULATED AND AGREED, that should facts or circumstances derived from future discovery, or otherwise, come to light that indicates a relationship to the litigation and a basis of a claim against the defendant for whom this Stipulation is being entered, and/or should it come to light that the information provided by said defendant in support of its request of discontinuance at this time, be discerned in the future to have been inaccurate, false or misleading, plaintiff may re-assert its claim against said defendant by motion, stipulation or otherwise, and without the necessity of additional service of process, and in no event will said defendant raise any statute of limitations defense other than as may have been asserted based upon the date of filing of the original action, at the time the action was originally commenced against said defendant.




Case 1:06-cv-13787-AKH Document 110 Filed 03/04/13 Page 2 of 2


This Stipulation may be filed without further notice with the Clerk of the Court and defendant will obtain, if necessary, any Judicial "So Order" of this Stipulation and any other signatory, if necessary.

Dated: April 7, 2009
Melville, New York


by: Margaret Herrmann, Esq. (MH3876)
Lawrence, Worden, Rainis & Bard, P.C.
Attorneys for Defendants
225 Broad Hollow Road, Suite 105E
Melville NY 11747
(831) 894-0033


by: Christopher LoPalo (CL6468)
Worby Groner Edelman & Napoli Bern
Attorneys for Plaintiffs
350 Fifth Avenue, Suite 7413
New York NY 10018
(212) 287-3700

SO ORDERED: 3/6/13


U.S.D.J. 